

Bay-Delta Public Advisory Committee
Subcommittee on Drinking Water
Draft Minutes
Meeting of July 26, 2002

The Drinking Water Subcommittee met on July 26, 2002 (meeting agenda attached).

Meeting Summary

Draft minutes June 28, 2002

The Subcommittee reviewed and approved the minutes from the June 28, 2002 meeting without further comment.

Business items

John reported on the preliminary arrangement for the DWS meeting in September. The meeting will be held at the Cucamonga County Water District headquarters on the morning of September 18th. There also will be a tour in the Inland Empire area in the afternoon on the same day. The DWS meeting will be a joint meeting with the Southern California Water Dialogue. The BDPAC meeting will be on September 19.

John gave a brief description on the relationship between the Southern California Water Dialogue and CALFED. CALFED operates both on programmatic level and regional level. BDPAC and its advisory subcommittees operate on the programmatic level. Informal forums are setup on a regional basis in the five regions including Sacramento Valley, San Joaquin Valley, Delta, Bay Area and Southern California. There are currently three forums in three of the regions, and they are: ABAG Task Force in the Bay Area, Delta Protection Commission, and the Dialogue in the Southern California region. The Dialogue is a broad-based group consisting of water agencies, environmental groups, business and local government agencies which pre-dates CALFED.

John also raised the issue of reimbursement. BDPAC members are already covered for reimbursement of their subcommittee activities, so the question is if any others want the same coverage. Feedback is needed so that John can elevate the issue.

Delta Drinking Water Policy

Rik L. Rasmussen from Central Valley Regional Water Quality Control Board presented this topic.

- Background: By State Board Resolution 8863 (sources of drinking water policy), all surface waters with few limited exceptions are designated as possible drinking water sources. The Basin Plan is the body of regulations with full force of the law. As required by federal law, the Basin Plan must be reviewed every three years, and new issues and

priorities are to be adopted in a workplan. The development of policies for sources of drinking water again was a high priority issue adopted during last Friday's triennial review. The Board is also required by the CALFED ROD to adopt a policy for sources of drinking water by 2004.

- **Applicable Water Quality Laws and Regulations:** Porter Cologne pre-dates the 1972 Clean Water Act. It identifies beneficial uses, adopts water quality objectives, and has policy statements. The Board can also act under the Clean Water Act as the designated body to address the 303d listings (TMDLs) and State anti-degradation requirement. When the Board adopts a policy that contains objectives, those objectives have to be approved by the USEPA, which is a federal action that will also require consultation under the Endangered Species Act.
- **Possible Approaches:** Policy statement for sources can provide a quick response to the Basin Plan but it does not have numbers and standards. An interim solution can raise people's awareness, but need to develop specific water quality objectives that can be numeric objectives or narrative objectives.
- **What You Get From a Policy:** NPDES, focused source water assessments, NPS pollution control at a watershed level and TMDLs.
- **Methods for Developing Water Quality Objectives:** The easiest way is to adopt recommended national criteria. Another is developing new scientifically defensible objectives that include studies for all beneficial uses. Economics must be addressed but not in the form of benefit/cost analysis, since standards are to be scientifically based only. Diverse stakeholder participation is also a requirement.
- **Basin Planning Steps:** The first steps are developing a Functional Equivalent Document (CEQA), public hearings, peer review, Regional Board adoption, State Board adoption and Office of Administrative Law approval. It will then go to U.S. EPA for approval (EPA will consult with NMFS or USFWS on Endangered Species Act issues). Afterwards, total time for adoption is up to 400+ days.
- **Resources:** Currently 0.5 PYs are budgeted for Sacramento and San Joaquin River (Central Valley) Basin Plan, ~1.0 PY reimbursable budget (budget from other sources) is available for drinking water policy development, and 0.5 PY through FY 02-03 is available from DHS.
- **Other Resource Needs:** Department of Health Services, Department of Water Resources, U.S. EPA, Department of Fish and Game, U.S. Fish and Wildlife, diverse stakeholder participation, and contracts for the environmental and economic analyses.
- **Current Efforts:** Assessing existing monitoring information, relying on new storm water monitoring requirements that include monitoring of all drinking water constituents and require stakeholder participation, and identifying sources of contracts for monitoring and modeling requirements.

Issues/comments/ideas

- MCLs adopted by the Department of Health Services are automatically incorporated into the Basin Plan by reference.
- The focus so far is on the environmental objectives, not on economic objectives.

- Use of toxins for the purpose of source protection was an interesting question raised. The answer was that the evaluation of legal uses of toxic substances is different than those for water quality standards.
- By statute, RWQCB has to be reasonable in establishing standards for beneficial use of water.
- Surface water monitoring data is very limited now. Reliance on other monitoring programs for data is important.
- Redirecting funding rather than looking for new funding sources that are not there.
- Inventory of outside modeling capacity is needed as an example to provide assistance to the regional board monitoring effort, other than funding support.
- Efforts have been and will be made by both John Andrew of the Drinking Water Quality Program and John Lowrie of the Watershed Program to fund more monitoring type programs through SWRCB Prop. 13 funds.

Review and process for synthesis of the one-page assignment on ELPH

John reviewed the synthesis he prepared for the Subcommittee. Nine DWS members' one-pagers were incorporated into the synthesis, and there was common agreement in the DWS's approach to ELPH.

Issues/comments/ideas

- There was a strong pitch for a watershed approach.
- It is essential to stick to the ROD targets; however, maintaining that level may or may not necessarily help regulatory compliance.
- Even though most people support integrated tools across the spectrum, we should see what things are cost-effective and feasible to do at treatment plants as opposed to a 'source to tap' approach.
- We shouldn't neglect dealing with ground water contaminants as source water protection to improve the drinking water quality.
- Salinity control should be recognized as an important potential issue related to CALFED water management objectives.
- Learning more vs. doing more. New chemicals, new ways of identifying them, and new risks associated with them arise everyday. There is a limitation on pursuing many individual matters, however the best this Subcommittee can achieve is to stick to meeting the target of 50/3, include more boxes, have more alternatives, and focus on a non-degradation policy. In order to accomplish that, we need to have a baseline and proceed from that point.
- Regulatory significance of the bromide and TOC targets. Currently, these targets are not adopted by the SWRCB or Regional Boards, so they are not legally enforceable. Are these goals achievable at Clifton Court Forebay in a cost-effective manner? We need to identify sources where these constituents originate, both point and non-point.

John also reviewed the Strategic Plan Tom Zuckerman, John himself, and Sam Harader drafted. In members' one-pagers, they emphasized flexibility, tools, and regional approaches in defining ELPH.

- For the purpose of writing the Strategic Plan, the ELPH diagram was divided into two parts: one is 'CALFED's jurisdiction', which includes the things CALFED can do to assist regional approaches; and the other is 'local jurisdiction', which includes local sources and treatment areas.
- ROD commitments and existing Drinking Water Quality Improvement Strategy were included to establish a connection between what is in the ROD and what we are doing now.
- The least described boxes in the Strategic Plan were under 'Local Water Sources'. The reason is that local agencies are independent of CALFED and what they can do could be different from one region to another. It would be helpful if the local agencies get together and submit their input on what constraints they face, what treatment strategies they have, what local water sources they utilize, and what mix of ELPH they can implement on a regional basis.
- Boxes of Monitoring and Assessment, Health Effects and Educational/Outreach will need to be detailed in a revised draft Strategic Plan.

Issues/comments/ideas

- CALFED and local agencies shouldn't be separated. There is an interplay between these two to achieve the objectives, and it's a partnership between them. Many issues are on the local level, and they should be directly dealt with locally; however, there could still be statewide programs of local partnerships.
- Dealing with public health isn't the last step in the ELPH diagram. For example, it may be more cost-effective to protect public health if we prevent further degradation in the watersheds. The challenge for us is how to get the best from each box, identifying the responsibilities, and sharing them between agencies.

Action Items

- Provide comments on the draft Strategic Plan to John by August 9, 2002.
- Add more descriptions from the local angle to the Strategic Plan.
- Comment on one-pager ELPH synthesis.
- Prepare presentations for the BDPAC meeting in September.

Current treatment, challenges and direction

Doug Chun, Water Quality Manager for ACWD, presented this topic.

ACWD is a South Bay Aqueduct contractor that serves Fremont, Newark and Union City. South Bay Pumping Plant has about 300 cfs capacity. The district is largely dependent on imported

water supply from the Delta, and also blends groundwater with water from Hetch Hetchy. Average demand is 50 MGD, with 70% residential and 30% commercial or industrial. ACWD has two plants that are both fed by the South Bay Aqueduct. Major issues are controlling disinfection byproduct formation, adjusting to source variability, controlling of turbidity, odor, taste, and “the contaminant of the day”. Use of CO₂ and ozone improves their water quality.

Issues/comments/ideas

- Groundwater is recharged with water from Alameda Creek. During summer when water is low, upstream State Water Project water is released which eventually reaches Alameda Creek.
- Temperature change in the South Bay Aqueduct has a significant impact on water treatment.
- Different levels of disinfection byproducts (THMs, HAAs, bromate) result from the use of different disinfectants.
- The public often demands more than regulatory compliance.
- Blending Hetch Hetchy with South Bay Aqueduct water may be another tool for ACWD to address water quality issues.

Policy on water quality and CALFED projects

John led the discussion on Greg’s draft water quality policy. Changes have been made based upon comments from last meeting. Mitigation strategies from the CALFED EIR/EIS have also been added.

Issues/comments/ideas

- The goal is to articulate what our interests are, not to take positions on policies.
- Present the document to the BDPAC Steering Committee.
- Water quality should have its own policy, even though multiple projects from all programs can be bundled together and move forward together.
- Two weeks to comment on this version. Lynda Smith from MWD will send hers to John.
- Title will be changed from policy to framework.

Drinking Water Quality Program Management MOU

John provided an update on the MOU. The date of July 1st has passed, but the program has not moved to DHS, SWRCB and EPA for management due to resources. A governance bill is intended to replace the MOU, which has passed the Senate, and currently is in the Assembly. Once it is passed and signed into law, the expected effective date is January 1st.

Issues/comments/ideas

- There are a number of state laws that agencies are obligated to carry out, but without resources, the implementation won't go as we expect.
- There are four programs staying behind at the new Commission: Ecosystem, Watersheds, Science and EWA.
- For Drinking Water Quality Program, CALFED will have an oversight/coordination role with more management tasks delegated to the three agencies mentioned above.

Public comments/issues

Include general policy comments in the future meetings. Members who have proposals on policy positions, will have to draft a one-pager for consideration by the Subcommittee. In order to be included on the agenda for discussion, it has to be submitted two weeks before the agenda is finalized.

Agenda for August 23, 2002

9:00 a.m. to 3 p.m., DFA

1. Watershed activities to improve water quality—Leah Wills
2. Current treatment, challenges and direction—Ruben Robles, SRCSD
3. Review and process for synthesis of the one-page assignment on ELPH—co-chairs
4. Reports and discussion on sanitary surveys and other source water assessment processes—co-chairs
5. NPS pollution—CVRWQCB/ SWRCB